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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DAVID JOSE HUERTA,

16 Defendant.  
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No. 2:25-MJ-3504-DUTY

THIRD STIPULATION FOR EXCLUDABLE  
TIME FOR FILING OF INFORMATION OR  
INDICTMENT PURSUANT TO SPEEDY  
TRIAL ACT

[No hearing set]

20 Plaintiff United States of America, by and through its counsel  
21 of record, and defendant David Jose Huerta, ("defendant"), by and  
22 through his counsel of record, hereby stipulate as follows:

23 1. On June 6, 2025, defendant was arrested on a complaint  
24 charging a violation of 18 U.S.C. sec. 372. (Dkt. 1.) On June 9,  
25 2025, defendant first appeared on the complaint. (Dkt. 9.)  
26 Defendant waived preliminary hearing. (Dkt. 5.) The Speedy Trial  
27 Act, 18 U.S.C. sec. 3161 et seq., originally required that an  
28 indictment or information be filed by July 6, 2025.

1           2.    On June 29, 2025, the parties stipulated, and the Court  
2 found good cause, to exclude time for the filing of an information or  
3 indictment to and including August 5, 2025. (Dkts. 19, 20.)

4           3.    On August 1, 2025, the parties again stipulated to exclude  
5 time for the filing of an information or indictment, to and including  
6 September 19, 2025. (Dkt. 21.) The Court approved that stipulation.  
7 (Dkt. 22.)

8           4.    By this stipulation, defendant hereby again waives his  
9 rights under 18 U.S.C. § 3161(b), agrees that time should be further  
10 excluded, as more fully described below, and moves to continue the  
11 date by which an information or indictment must be filed to October  
12 17, 2025.

13          5.    The parties agree and stipulate, and request that the Court  
14 find the following:

15               a.    The ends of justice outweigh the interest of the  
16 public and the defendant in the filing of an information or  
17 indictment within the original date prescribed by the Speedy Trial  
18 Act because defense counsel represents that:

19                   i.   Prior to being able to meaningfully consult with  
20 defendant regarding the case, including the possibility of reaching a  
21 disposition prior to or concurrent with the filing of an indictment  
22 or information in this case, defense counsel will need additional  
23 time to confer with defendant; and

24                   ii.   Additional time is necessary to confer with  
25 defendant, review the discovery and potential evidence in the case,  
26 and prepare for trial in the event that a resolution does not occur.  
27 Defense counsel represents that failure to grant the continuance  
28

1 would deny defense counsel reasonable time necessary for effective  
2 preparation, taking into account the exercise of due diligence.

3           iii. More specifically, defense counsel will need  
4 time to review additional discovery, including witness interview  
5 reports, that the government, as condition of this stipulation,  
6 agrees to provide to defense counsel not later than September 19,  
7 2025.

8           6. Based on the foregoing, the parties request that the Court  
9 find that, for the purpose of computing time under the Speedy Trial  
10 Act, 18 U.S.C. § 3161(b), within which an information or indictment  
11 must be filed, the time period of September 19, 2025 to October 17,  
12 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)  
13 because the ends of justice served by granting a continuance outweigh  
14 the best interest of the public and the defendant in a filing of an  
15 information or indictment within the period specified in Section  
16 3161(b).

17           7. The parties further stipulate and request that the Court  
18 find that nothing in this stipulation and order shall preclude a  
19 finding that other provisions of the Speedy Trial Act dictate that

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1 additional time periods are excludable from the period within which  
2 an information or indictment must be filed.

3 IT IS SO STIPULATED.

4 Dated: September 11, 2025

BILAL A. ESSAYLI  
Acting United States Attorney

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6 JOSEPH T. MCNALLY  
Assistant United States Attorney  
Acting Chief, Criminal Division

7 *Mark Aveis*

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MARK AVEIS  
NEIL THAKOR  
Assistant United States Attorneys

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11 Attorneys for Plaintiff  
UNITED STATES OF AMERICA

12 Dated: September 12, 2025

/s/ per email authorization 9/12/2025

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MARILYN E. BEDNARSKI  
Attorney for Defendant  
DAVID JOSE HUERTA

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15 see attached page

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DAVID JOSE HUERTA  
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3 IT IS SO STIPULATED.

4 Dated: September 11, 2025

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10 Attorneys for Plaintiff  
11 UNITED STATES OF AMERICA

12 Dated: September 12, 2025

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MARILYN E. BEDNARSKI  
Attorney for Defendant  
14 DAVID JOSE HUERTA

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DAVID JOSE HUERTA  
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